

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

v.

ANTHONY C. BARRETT,

Defendant.

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Case No. 2:11-cr-00173-1

JUDGE ALGENON L. MARBLEY

ORDER

This matter is before the Court on Defendant Anthony C. Barrett's Motion for Reconsideration of the Court's Order Denying his Motion for Reimbursement of Restitution Overpayment. Doc. 195. In his first Motion, Defendant claimed that he had \$50 wrongfully removed from his inmate trust account for restitution payments that had already been satisfied.¹

In his Motion for Reconsideration, Defendant has attached records from USP Atwater showing two \$25 payments: (1) a \$25 payment on March 10, 2017 from Defendant's trust account; and (2) a \$25 payment on August 16, 2017 from an outside account. The Court contacted Defendant's case manager and the trust funds account manager at USP Atwater regarding these payments. Neither was able to trace the August 2017 payment, as it came from an outside account. They were, however, able to determine that the March 2017 payment was made for purposes of restitution.

¹ Notice was filed on February 13, 2017 that Defendant satisfied his restitution payments. *See* Doc. 165.

After receiving this information, the Court contacted its financial office. But records from the financial office show that the last payment the Court received from Defendant was \$35 on September 6, 2016. For Defendant's review, the Court attaches those records to this Order as a sealed document. Because the Court has not received any overpayments from Defendant's trust account, there is no basis to issue a reimbursement. Accordingly, the Court **DENIES** Defendant's Motion for Reconsideration [#195].

IT IS SO ORDERED.

/s/ Algenon L. Marbley
ALGENON L. MARBLEY
CHIEF UNITED STATES DISTRICT JUDGE

DATED: August 11, 2020